

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RACHEL BEEMAN,

Plaintiff,

v.

Case No. 10-C-0624

OK CREDIT REPORTING SERVICE, INC.,

Defendants.

ORDER GRANTING MOTION TO COMPEL

Presently before the Court is Plaintiff Rachel Beeman's Motion to Strike Defendant's Answer and for Entry of Default. (Dkt. 15.)

Pursuant to this Court's Scheduling Order (Dkt. 12) the parties' Rule 26(a)(1) disclosures were to be filed by October 15, 2010. Defendant did not file its disclosures by that date. Between October 20, 2010 and November 15, 2010 Plaintiff's counsel attempted to communicate with Defendant's counsel via letter, voice-mail, and email in order to obtain Defendant's disclosures. Despite these efforts Defendant never filed Rule 26(a)(1) disclosures. For this reason the Court entered a Order to Compel on December 29, 2010 (Dkt. 14) which directed Defendant to produce initial disclosures on or before January 10, 2011. To date Defendant has not complied with the Order to Compel and has not produced initial disclosures.

On January 17, 2011, Plaintiff filed the present Motion to Strike and for Entry of Default. (Dkt. 15.) This Court gave Defendant until February 1, 2011 to respond to Plaintiff's motion. Defendant filed no response.

Because Defendant has repeatedly failed to comply with this Court's orders, Plaintiff's Motion (Dkt. 15) is **granted in part**. Pursuant to Rule 37(b)(2)(A)(iii) Defendant's Answer (Dkt. 5) is struck. The Clerk is directed to enter default in favor of Plaintiff. In accordance with Fed. R. Civ. P. 55 the Plaintiff shall file a motion for default judgment with the Court on or before March 25, 2011.

Dated this 22nd day of February, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge